

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

| | | |
|--------------------------|---|--------------|
| CLIFFORD POLLARD TURNER, |) | |
| Petitioner, |) | |
| |) | |
| v. |) | 2:11-cv-1312 |
| |) | |
| RICK THALER, et al., |) | |
| Respondents. |) | |

MEMORANDUM and ORDER

Mitchell, M.J.:

Clifford P. Turner an inmate in the Texas correctional system has presented a petition for a writ of habeas corpus. For the reasons set forth below, the petition will be transferred to the United States District Court for the Northern District of Texas (Lubbock) for consideration in conjunction with a case pending before that Court at Docket No. 5:11-cv-92.¹

Although difficult to discern from the petition, it appears that Turner is presently serving a twenty-five year Texas sentence which was imposed in March 2001 upon his conviction by a jury of obstruction of justice. In his petition he contends that he has filed a challenge to this conviction at No. 5:11-cv-82.²

Since it appears that the petition here does not relate to any criminal conviction within this District and appears to be directed to a challenge of a Texas conviction which is presently pending in the Northern District of Texas, it appears that the interests of justice are best served by forwarding the instant petition to that Court for consideration in conjunction with the matter presently before it.

An appropriate Order will be entered.

¹ A Magistrate Judge has authority to issue such an order of transfer. Schaeffnocker v. Commissioner, 642 F.3d 428 (3d Cir. 2011).

² We have searched the records of this Court as well as the Pennsylvania Courts and determined that Turner has no recent convictions here. However, his habeas corpus petition filed in the Northern District of Texas seeks to challenge a Texas conviction to which he refers in his petition filed here.

ORDER

AND NOW, this 20th day of October, 2011, for the reasons set forth in the foregoing Memorandum, the Clerk of this Court is directed to forthwith forward the matters presently before this Court to the United States District Court for the Northern District of Texas (Lubbock) for consideration in conjunction with its Civil Action No. 5:11-cv-92-C;

AND IT IS FURTHER ORDERED that the above captioned action pending in this District be marked closed.

s/ Robert C. Mitchell
United States Magistrate Judge